

From: Corry, David M (Legal Affairs) <dcorry@liberty.edu>
Sent: Friday, October 23, 2020 3:21 PM
To: Bible, Mitzi O (Communications & Public Engmnt) <mobible@liberty.edu>; Maggie Sevens <msevens@politico.com>
Cc: Lamb, Scott <scottlamb@liberty.edu>; Helfenbein, Ryan Lee (Falkirk Center) <rlhelfenbein@liberty.edu>
Subject: RE: [External] Re: Questions from Politico

Maggie:

Please see added highlights below.

David M. Corry
General Counsel



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From: Bible, Mitzi O (Communications & Public Engmnt) <mobible@liberty.edu>
Sent: Friday, October 23, 2020 3:17 PM
To: Maggie Sevens <msevens@politico.com>
Cc: Lamb, Scott <scottlamb@liberty.edu>; Helfenbein, Ryan Lee (Falkirk Center) <rlhelfenbein@liberty.edu>; Corry, David M (Legal Affairs) <dcorry@liberty.edu>
Subject: Re: [External] Re: Questions from Politico

Maggie,

Your interpretation is a fair one. The explanation on the scope of their forensic investigation would have to come from Baker Tilley US but the reporting website seems to provide the answer, at least in part. Here is what is discussed in the landing page and the FAQ:

Landing Page:

This System is designed to allow you to confidentially report any misconduct **related to the business operations of Liberty University** (the "University" or "Liberty") and/or concerning actions/decisions by current or former members of **University Leadership**. This System is an independently-operated platform, and is not run or controlled by the University.

Note: This System is not a substitute for the University's official processes for making complaints of discrimination, harassment, for requesting accommodations, or refunds or for appealing other University decisions. For more information on this reporting process, see the FAQs.

FAQ:

Does this platform replace or substitute for existing University complaint processes?

No. Since this platform is independent of Liberty University, it is not a substitute for, or an alternative way, for students or employees to report complaints or allegations of misconduct where the University has an established complaint process or procedure. Thus, **this platform is not to be used to report the following:** (i) student complaints and appeals regarding grades or other student-related academic issues, (ii) student requests for refunds, (iii) allegations of unlawful discrimination or harassment in employment; (iv) requests for accommodation or medical exceptions, (v) health and safety complaints (vi) NCAA violations, or (vii) **Title IX concerns and violations**.

What should I report?

Any information that suggests that the University, or one or more current or former **members of University Leadership**, engaged in conduct, or made decisions in their interactions with, or on behalf of, the University that were, or may have been, illegal, **unethical from a business perspective**, or improper in the context of the operation of a non-profit organization, including without limitation, conflicts of interest, self-dealing, kickbacks, embezzlement, misappropriation, problems with data protection or IT security, tax reporting, taking unauthorized actions, usurping business opportunities, misuse of University funds/assets, or any other activity that appears improper, unethical or illegal.

***This is general information provided by the university, so please don't source me or use my name in your piece.

I also attached the university's release on this matter.

Mitzi

Mitzi Bible
Senior Managing Editor
Communications & Public Engagement
(434) 592-4955



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From: Maggie Severns <mseverns@politico.com>
Date: Friday, October 23, 2020 at 11:43 AM
To: Mitzi Bible <mobible@liberty.edu>
Cc: "Lamb, Scott" <scottlamb@liberty.edu>, "Helfenbein, Ryan Lee (Falkirk Center)" <rlhelfenbein@liberty.edu>, "Corry, David M (Legal Affairs)" <dcorry@liberty.edu>
Subject: RE: [External] Re: Questions from Politico

Hi Mitzi and David,

Another question for you all. We saw the email from Liberty saying that Baker Tilly is leading the outside investigation. The email seems to say that the investigation is only focused on business matters and financial wrongdoing, and won't extend to other possible issues, like possible sexual impropriety by Jerry and Becki Falwell.

Am I interpreting that correctly? Can you explain why that is?

Thanks for the help. We'd appreciate a response before 6 p.m. today.

From: Bible, Mitzi O (Communications & Public Engmnt) <mobible@liberty.edu>
Sent: Wednesday, October 21, 2020 1:11 PM
To: Maggie Severns <mseverns@politico.com>
Cc: Lamb, Scott <scottlamb@liberty.edu>; Helfenbein, Ryan Lee (Falkirk Center) <rlhelfenbein@liberty.edu>; Corry, David M (Legal Affairs) <dcorry@liberty.edu>
Subject: Re: [External] Re: Questions from Politico

EXTERNAL SENDER: Use caution with links and attachments.

Maggie,

Please see below. These are general statements provided by the university (please don't use my name). Do you have an estimated day/time the story will be published?

1-- Upon leaving Liberty, Jerry Falwell said he expected to receive \$10.5 million in total compensation from the university as severance. How much in total does Liberty expect to pay Jerry Falwell?

Liberty University paid its former president, Jerry Falwell, Jr., the severance owed under his employment contract. Media reports regarding the size and terms of the severance to be paid upon the employment separation of Liberty University and Mr. Falwell, Jr. are incorrect. As Liberty University has already stated, Mr. Falwell's severance compensation was dictated by the terms of his pre-existing employment agreement without any adjustment by the University or its Board.

There was no severance and no retirement negotiated in exchange for Mr. Falwell's resignation last month. By his preexisting contract, Mr. Falwell is entitled to two years' base salary as severance. Additional compensation that Mr. Falwell receives under his agreement following his resignation are only accrued retirement benefits. These accrued retirement payments reflect reasonable terms after 30 years of service to Liberty, with 13 as university president.

Liberty University has not totaled the lifetime payments to Jerry Falwell, Jr. but that can be discerned by reviewing the IRS Form 990's over the years and for future years. The actual amount paid after Jerry Falwell, Jr.'s departure will be shown on the next 990's filed but reference to the most recent 990 shows President Falwell's annual compensation as \$1,099,356. As you can deduce, \$2 Million in severance is a far cry from a \$10.5 "golden parachute" severance discussed in the media.

2-- Full board meetings at Liberty are held twice a year and are usually half a day long. Do board committees (like the audit committee, or the executive committee) have additional regular meetings in addition to that twice a year schedule? If so, how frequent are those meetings?

Regular meetings of the Board are held in the fall and spring semester, but special meetings of the Board are and have been held in addition to those regular meetings. Committee meetings are scheduled as needed by the chairs, each in a different pattern. Some have met over 15 times in the last year, some quarterly and others less.

3-- Did any Liberty trustees have direct knowledge of Jerry and Becki's relationship with a Liberty student? 'm referring to this: <https://www.politico.com/news/2020/08/27/becki-falwell-affair-liberty-university-student-band-jerry-402559> I'm wondering if, prior to allegations from Giancarlo Granda or this student (whose name we withheld) becoming public in news reports, any of the trustees had knowledge of those relationships.

While Liberty University has not polled each Board member, Liberty University has not learned of any Trustee (except perhaps Jerry Falwell, Jr.) who had direct knowledge of the relationships described in recent media accounts. These media reports were the first accounts of any such relationship.

4-- Multiple people have told us that Liberty executive vice president Laura Wallace is a cousin of Jerry Falwell's. Is this the case?

Liberty University considers the family relations of its employees confidential employee information and does not publicly discuss that information beyond what is required to be disclosed in the IRS Form 990. Such questions would best be directed to Jerry Falwell, Jr. and/or Laura Wallace personally.

5-- We previously asked Liberty about construction performed on Jerry Falwell's home by Liberty in 2019. One follow-up to those questions: How did Liberty determine how much to charge Jerry for that renovation work?

Any such work is tracked, both in terms of time and materials used. The direct costs of all material and supplies was passed through to Jerry Falwell, Jr. together with a labor rate. The labor rate is determined by an average hourly wage in the class of employee doing the work plus additional charges for benefits, vehicles, tools and equipment. This same methodology is accepted for documenting insurance claims and for accounting for costs of work in other aspects of University operations.

6-- What were the terms for Jerry Falwell's use of Liberty's jet in his contract?

Yes.

Was Jerry Falwell allowed to classify his use of the jet as business travel after taking trips, which according to several Liberty employees he regularly did?

The business and/or personal nature of the travel is documented both initially and revisited in quarterly meetings to ensure all tax laws are complied with.

Was he allowed as part of his contract to use the jet to take tips for cardiologist appointments in Miami?

To the extent Jerry Falwell, Jr. traveled to have an executive physical required by the Board, such travel would be a business purpose. Jerry Falwell, Jr. has previously disclosed at least one trip to Miami involving university aircraft was for the required executive physical.

7-- Both Jennifer and Rudy Nasser are currently on Liberty payroll. What are their jobs at Liberty?

Neither Jennifer Nasser or Rudy Nasser are currently on the Liberty payroll. Rudy Nasser was a student worker in spiritual development and his employment ended 12/17/18. Jennifer Nasser has never been on Liberty's payroll but she has provided decorating and design services on a contract basis.

8-- Liberty spent \$135,525 with DuCar International Tours in 2018. What was that for? If it was a trip, who attended?

Liberty University's Women's Basketball Team traveled to Israel 2018 to compete in the Friendship Games and visit various religious sites. Twenty-five student athletes and coaches and other support staff were on the 12-day trip.

9-- In recent years, Liberty has paid Cedar Ridge Management for services. According to a Liberty employee, Cedar Ridge is owned and operated by Wes Falwell, for the purpose of managing Liberty rental properties. Why is Cedar Ridge established as a separate LLC from Liberty, as opposed to being part of Wes' existing job at Liberty?

Wesley Falwell started a property management company to provide services outside of his job description. He works in metal fabrication for Liberty University and his job description never included property management. The arrangement was an attempt for Liberty University to obtain property management services at a market rate and stop utilizing employees for property management. This function has since been brought back-house for the portfolio managed by Cedar Ridge.

10-- Liberty has paid \$70,000 to the Gainey Foundation over the last two years. What is the \$70,000 for?

Gainey Foundation is a 501(c)(3) organization that is the primary support for Two Moose Camp along the Big Hole River in Montana. Two Moose Camp operated as the site for leadership training of Christian college athletes, spiritual/worship team leaders, and Christian college team building and professional development. The lodging, food and facilities are furnished to the users free of charge. The Gainey Foundation Board and management serve freely with no compensation. Like many other 501(c)(3) organizations with complementary missions, Liberty University has supported Gainey Foundation over the years and sent teams from the University in the summers of 2017, 2018 and 2019. Such contributions are not required as a condition of using the Two Moose Camp, do not violate any law or governing document of Liberty University and are properly reported. They are simply charitable contributions to a ministry with a complimentary mission. Liberty University's IRS form 990 features dozens of similar contributions each year.

From: Maggie Severns <mseverns@politico.com>

Date: Sunday, October 18, 2020 at 5:14 PM

To: Mitzi Bible <mobible@liberty.edu>

Cc: "Lamb, Scott" <scottlamb@liberty.edu>, "Helfenbein, Ryan Lee (Falkirk Center)" <rlhelfenbein@liberty.edu>, "Corry, David M (Legal Affairs)" <dcorry@liberty.edu>

Subject: Re: [External] Re: Questions from Politico

Hi Mitzi,

Apologies for missing this Friday. I'm referring to this: <https://www.politico.com/news/2020/08/27/becki-falwell-affair-liberty-university-student-band-jerry-402559>

I'm wondering if, prior to allegations from Giancarlo Granda or this student (whose name we withheld) becoming public in news reports, any of the trustees had knowledge of those relationships.

Thanks and let me know what other questions arise.

On Oct 16, 2020, at 4:11 PM, Bible, Mitzi O (Communications & Public Engmnt) <mobible@liberty.edu> wrote:

EXTERNAL SENDER: Use caution with links and attachments.

Maggie,

We will be working on these for you.

Can you expound on your third question here, as to the particular relationship you are referring to?

Thank you,

Mitzi

Mitzi Bible
Senior Managing Editor
Communications & Public Engagement
(434) 592-4955

<image001.png>

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From: Maggie Severns <mseverns@politico.com>

Date: Friday, October 16, 2020 at 4:04 PM

To: "Lamb, Scott" <scottlamb@liberty.edu>

Cc: Mitzi Bible <mobible@liberty.edu>, "Helfenbein, Ryan Lee (Falkirk Center)" <rlhelfenbein@liberty.edu>, "Corry, David M (Legal Affairs)" <dcorry@liberty.edu>

Subject: Re: [External] Re: Questions from Politico

Thank you Scott. Wednesday morning is our deadline for these. Appreciate the help, everyone.

From: Lamb, Scott <scottlamb@liberty.edu>

Sent: Friday, October 16, 2020 3:36 PM

To: Maggie Severns <mseverns@politico.com>

Cc: Bible, Mitzi O (Communications & Public Engmnt) <mobible@liberty.edu>; Helfenbein, Ryan Lee (Falkirk Center) <rlhelfenbein@liberty.edu>; Corry, David M (Legal Affairs) <dcorry@liberty.edu>

Subject: Re: [External] Re: Questions from Politico

EXTERNAL SENDER: Use caution with links and attachments.

Maggie:

My auto response was turned on 10 minutes before you emailed, so congrats on being the first. 😊

Mitzi and David Corry, Liberty's General Counsel (cc-d here) can work with you on this round of questions.

Please give an idea of time frame needed.

Many thanks,
-Scott

Scott Lamb
Senior Vice President of Communications and Public Engagement

Cell (434) 262-2771
Office (434) 592-6836
<image002.png>

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On Oct 16, 2020, at 3:11 PM, Maggie Severns <mseverns@politico.com> wrote:

[EXTERNAL EMAIL: Do not click any links or open attachments unless you know the sender and trust the content.]

Got Scott's autoreply. Mitzi, I assume you'd be the best person to handle this?

Thanks and best,
Maggie

From: Maggie Severns
Sent: Friday, October 16, 2020 3:09 PM
To: Lamb, Scott <scottlamb@liberty.edu>
Subject: Questions from Politico

Hi Scott,

Thanks again for your help with Brandon and my questions last week. We have a story forthcoming that will focus on Jerry Falwell's time at Liberty and his relationship with Liberty's board. The below questions will help us report an accurate story and include Liberty's perspective and the board's perspective in the story.

Sorry to send you all of these at once -- it's just the easiest way to get it all to you. You have my cell, (612) 669-8689, if you'd like to discuss any of these questions, or the story, on the phone.

We'd appreciate a response by Wednesday morning.

Best,
Maggie

- Upon leaving Liberty, Jerry Falwell said he expected to receive \$10.5 million in total compensation from the university as severance. How much in total does Liberty expect to pay Jerry Falwell?
- Full board meetings at Liberty are held twice a year and are usually half a day long. Do board committees (like the audit committee, or the executive committee) have additional regular meetings in addition to that twice a year schedule? If so, how frequent are those meetings?
- Did any Liberty trustees have direct knowledge of Jerry and Becki's relationship with a Liberty student?
- Multiple people have told us that Liberty executive vice president Laura Wallace is a cousin of Jerry Falwell's. Is this the case?
- We previously asked Liberty about construction performed on Jerry Falwell's home by Liberty in 2019. One follow-up to those questions: How did Liberty determine how much to charge Jerry for that renovation work?
- What were the terms for Jerry Falwell's use of Liberty's jet in his contract? Was Jerry Falwell allowed to classify his use of the jet as business travel after taking trips, which according to several Liberty employees he regularly did? Was he allowed as part of his contract to use the jet to take tips for cardiologist appointments in Miami?
- Both Jennifer and Rudy Nasser are currently on Liberty payroll. What are their jobs at Liberty?
- Liberty spent \$135,525 with DuCar International Tours in 2018. What was that for? If it was a trip, who attended?
- In recent years, Liberty has paid Cedar Ridge Management for services. According to a Liberty employee, Cedar Ridge is owned and operated by Wes Falwell, for the purpose of managing Liberty rental properties. Why is Cedar Ridge established as a separate LLC from Liberty, as opposed to being part of Wes' existing job at Liberty?
- Liberty has paid \$70,000 to the Gainey Foundation over the last two years. What is the \$70,000 for?